

*Amendments to the Claims*

1-32. (cancelled)

33. (Currently Amended) Railway rail handling apparatus configured for track side operation comprising ground engaging wheel apparatus means and rail moving apparatus means, which is configured to engage a railway rail along part of its length, the rail moving apparatus means being further configured for its progressive movement longitudinally along the rail as the railway rail handling apparatus moves on the ground engaging wheel apparatus means and, as the rail moving apparatus means so moves, for progressive bending of the rail laterally of an unbent part of the rail to thereby move the rail from a first lateral position to a second lateral position, the ground engaging wheel apparatus means defining a footprint of the railway rail handling apparatus on the ground to reduce imbalances in the railway rail handling apparatus that may be caused by force exerted in handling a rail, and the rail moving apparatus means being, in use, operative within the footprint.

34. (Currently Amended) Railway rail handling apparatus configured for track side operation comprising ground engaging wheel apparatus means and railway rail raising apparatus means operable to raise part of a rail above the ground, the ground engaging wheel apparatus means defining a footprint of the railway rail handling apparatus on the ground, and the railway rail raising apparatus means being, in use, operative within the footprint, a pair of spaced apart support members mounted at each side of the apparatus on the ground engaging wheel apparatus and supporting the railway rail raising apparatus for operation in a space between the pairs of support members, wherein the pairs of support members are spaced by approximately 1m in a longitudinal direction and approximately 1m in a transverse direction.

35. (Currently Amended) The apparatus of claim 34 in which the railway rail raising apparatus means is operable at several positions between the support members.

36. (Currently Amended) The apparatus of claim 33 wherein the rail moving apparatus means is configured to support a part of rail above the ground.

37. (Currently Amended) The apparatus of claim 33 in which the railway rail handling apparatus is configured for steering of the ground engaging wheel apparatus means over the ground.

38. (Original) The apparatus of claim 33 in which the railway rail handling apparatus is configured to move only one rail from a first position to a second position at a time.

39. (cancelled)

40. (cancelled)

41. (Currently Amended) The apparatus of claim 39 in which the apparatus further comprises a chassis extending means between the apparatus support members.

42. (cancelled)

43. (Original) The apparatus of claim 41 in which the height from the ground to the chassis is approximately 1 m.

44. (cancelled)

45. (cancelled)

46. (Currently Amended) The apparatus of claim 33 in which the overall length of the apparatus on the ground engaging wheel apparatus means is approximately 1.7 m.

47. (Currently Amended) The apparatus of claim 41 in which the chassis comprises a platform that defines an aperture through which the rail moving apparatus means depends.

48. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus means is configured to be extendible.

49. (Currently Amended) The apparatus of claim 33 configured for movement of the rail moving apparatus means on the railway rail handling apparatus laterally of a rail engaged in the rail moving apparatus means.

50. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus means is configured to swivel in relation to the railway rail handling apparatus.

51. (Currently Amended) The apparatus of claim 50 in which the rail moving apparatus means has an elongate body, with a first end of the elongate body mounted to swivel on the apparatus and a second opposite end of the elongate body configured to engage a rail.

52. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus means comprises user operable arresting means for arresting movement of the rail moving apparatus means in relation to the rail moving apparatus in a direction lateral of a rail.

53. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus means is configured to permit rotational movement of the supported rail in relation to the railway handling apparatus about a substantially vertical axis.

54. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus is configured to completely encircle a part of the length of rail engaged by the rail moving apparatus means.

55. (Currently Amended) The apparatus of claim 54 in which the rail moving apparatus means includes a gate ~~means~~ openable to allow a rail to be received by the rail moving apparatus means.

56. (Currently Amended) The apparatus of claim 33 in which the rail moving apparatus means is configured for ease of its movement longitudinally along a rail engaged by the rail moving apparatus means by means of one or more of a roller, a bearing and a low friction surface.

57. (Currently Amended) The apparatus of claim 33 further comprising railway rail raising apparatus means operable to raise an end of a rail towards the rail moving apparatus means.

58. (Currently Amended) The apparatus of claim 33 in which the ground engaging wheel apparatus means comprises at least one pair of continuous chain treads.

59. (Currently Amended) The apparatus of claim 58 comprising two continuous chain treads ~~means~~, the two continuous chain treads ~~means~~ being spaced apart to substantially the same extent as a standard rail to rail spacing.

60. (Currently Amended) The apparatus of claim 58 in which the continuous chain treads ~~means~~

are of a length at least as great as a standard spacing of railway sleepers.

61. (Original) The apparatus of claim 33 including a generator of motive power whereby the apparatus is self-propelled.

62. (Currently Amended) The apparatus of claim 57 wherein the railway raising apparatus ~~means~~ includes a block and tackle.

63. (cancelled)

64. (cancelled)

65. (Currently Amended) A method of handling a railway rail by means of a railway rail handling apparatus which is configured for track side operation and comprises ground engaging wheel apparatus ~~means~~, the method comprising

engaging a railway rail along part of its length by a rail moving apparatus ~~means~~ of the railway rail handling apparatus, and

moving the railway rail handling apparatus on the ground engaging wheel apparatus ~~means~~ to progressively move the rail moving apparatus ~~means~~ longitudinally along the rail to progressively bend the rail laterally of an unbent part of the rail to thereby move the rail from a first lateral position to a second lateral position, in which the rail moving means is operated within a footprint on the ground of the ground engaging wheel apparatus ~~means~~ to reduce imbalances in the railway rail handling apparatus that may be caused by forces exerted in handling a rail.

66. (cancelled)

67. (Currently Amended) The apparatus of claim 34 in which the railway rail handling apparatus is configured for steering of the ground engaging wheel apparatus ~~means~~ over the ground.

68. (Original) The apparatus of claim 34 in which the railway rail handling apparatus is configured to raise only one rail from a first position to a second position at a time.

69. (cancelled)

70. (cancelled)

71. (Currently Amended) The apparatus of claim 34 ~~69~~ in which the apparatus further comprises a chassis ~~means~~ extending between the apparatus support members.

72. (Original) The apparatus of claim 71 in which the length of the chassis is approximately 1 m.

73. (Original) The apparatus of claim 71 in which the height from the ground to the chassis is approximately 1 m.

74. (cancelled)

75. (cancelled)

76. (Currently Amended) The apparatus of claim 34 in which the overall length of the apparatus on the ground engaging wheel apparatus means is approximately 1.7 m.

77. (Currently Amended) The apparatus of claim 34 in which the ground engaging wheel apparatus means comprises at least one pair of continuous chain treads means.

78. (Currently Amended) The apparatus of claim 77 comprising two continuous chain treads means, the two continuous chain treads means being spaced apart to substantially the same extent as a standard rail to rail spacing.

79. (Currently Amended) The apparatus of claim 77 in which the continuous chain treads means are of a length at least as great as a standard spacing of railway sleepers.

80. (Original) The apparatus of claim 34 including a generator of motive power whereby the apparatus is self-propelled.

81. (Currently Amended) The apparatus of claim 34 wherein the railway raising apparatus means includes a block and tackle.